

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

WILLIE E. WATERS,

Civil No. 08-0012 (JRT/JJK)

Plaintiff,

v.

ORDER OF DISMISSAL

KMART CORPORATION,

Defendant.

Stephen Fiebiger, **STEPHEN C FIEBIGER & ASSOCIATES, CHARTERD**, 2500 West County Road 42, Suite 190, Burnsville, MN 55337, for plaintiff.

Kathryn Mrkonich Wilson, **LITTLER MENDELSON, PC**, 80 South Eighth Street, Suite 1300, Minneapolis, MN 55402, defendant.

The Court having been advised that the above action has settled,

IT IS HEREBY ORDERED that this action is dismissed with prejudice, the Court retaining jurisdiction for forty-five days to permit any party to move or reopen the action, for good cause shown, or to submit and file a stipulated form of final judgment, or to seek enforcement of the settlement terms.

DATED: June 30, 2009
at Minneapolis, Minnesota.

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge